C. Remarks

Enclosed herewith is a information disclosure form listing the references set forth in the application specification and not already cited. Copies of the references are also enclosed. It is requested that these references be made of record. It is noted that the third reference cited in the application specification is the same as that of Kontio so it has not been listed in the IDS.

In the office action, claims 1-26 were rejected under 35 U.S.C. 103(a) as being obvious in view of the published patent application to Kontio et al. (US 2004/0249768 A1) and the published patent application to Hori et al. (US 2003/0105835 A1).

In order to establish the non-obviousness of the present invention in view of the cited prior art including the published patent application to Kontio et al. (US 2004/0249768 A1) and the published patent application to Hori et al. (US 2003/0105835 A1), independent claims 1, 15, 20, and 22 have been amended, and new independent claim 34 has been added, to recite that the method and the system of the present invention relate to the distribution and usage of Java digital content protected by Digital Rights Management (DRM) policies to Java enabled mobile devices, the DRM policies being implemented by adding a wrapper to the Java digital content *without the need of any DRM agent* on the Java enabled mobile device and *without the need of any software installation* on the Java enabled mobile device.

In addition, dependent claims 27-32 have been added to clearly explain the steps of independent claim 1, as amended. Further, the dependent claim 33 has been

added to clearly explain the steps of independent claim 22, as amended. The dependent claims 2-4, 7, 8, and 11 have been amended to clearly explain the steps of independent claim 1, as amended. The dependent claims 16 and 18 have been amended to clearly explain the steps of independent claim 15, as amended. The dependent claim 21 has been amended to clearly explain the system elements of independent claim 20, as amended. The dependent claims 24 and 25 have been amended to clearly explain the steps of independent claim 22, as amended. The support for these steps and system elements is found at pp.6, lines 20-21, and lines 24-25, pp. 7, lines 1-6, and lines 25-27, pp. 8, lines, 1-10, and lines 17-21, pp. 10, lines 8-11, and lines 29-31, pp. 11, lines 1-5, and lines 8-23, pp. 12, lines 24-28, pp. 13, lines 4-6, lines 20-29, pp. 14, lines 5-13, pp. 15, lines 9-10, pp. 16, lines 18, and 19, pp. 17, lines 1-6, and lines 21-22, pp.23, lines 1-15, pp. 24, lines 16-21. The functional relation between these steps and the system elements has been clearly defined in independent claims 1, 15, 20, and 22, as amended, and new independent claim 34, as added.

Additionally, claims 5, 6, 9, 10, 12, 13, 14, 17, 19, 23, and 26 have been cancelled, without prejudice.

According to the method and the system of the present invention, as set forth in amended independent claims 1, 15, 20, and 22, and new independent claim 34 as added, the distribution and usage of Java digital content protected by Digital Rights Management (DRM) policies to Java enabled mobile devices is achieved such that the DRM policies are implemented *using wrapper technology and without a DRM agent* being provided on the Java enabled mobile device. Therefore, the DRM policies are being implemented in the present invention such that there is no need for the Java

enabled mobile device to be compliant with any DRM standards. Furthermore, the present invention is implemented without a need for installing additional software on the mobile device. The support for these recitations is found at pp. 7, lines 1-3 and pp. 24, lines 16-19 of the present application. The mobile device just needs to be Java enabled, which is capable of running all J2ME applications for implementing the DRM policies for the Java digital content. The support for these recitations is found at pp. 10, lines 8-11, and pp. 11, lines 24-25 of the present application.

A system, as disclosed in the published patent application to Kontio et al. (US 2004/0249768 A1), includes a DRM agent in the network for obtaining information about the content from a voucher server (as disclosed in paragraph 0050). As stated in the published patent application to Kontio et al., a wireless device in a mobile communication environment sends request for a right to give to a terminal device, content of a digital asset to the DRM agent. The DRM agent then obtains a voucher for the content from a voucher server and forwards it to the wireless device, which then sends the voucher to the terminal device. Kontio's published patent publication discloses implementing DRM policies with the presence of a DRM agent being available in the network, more specifically, the terminal device being DRM system compliant (pp. 31, paragraph 0357). Therefore, it is applicable to the terminal devices which support DRM standards, and does not apply to the terminal devices which do not support DRM standards. Whereas, implementing DRM policies without the need of the Java enabled mobile devices to be compliant with DRM standards as well as implementing the DRM policies for the Java digital content using wrapper technology on the Java enabled mobile devices is a part of the present invention. Further, the DRM policies are being

implemented in the present invention without the need of a DRM agent to be available anywhere in the network.

The published patent application to Hori et al. also discloses communication terminal being capable of downloading the license information and enforcing the same by means of native support in the communication terminal (pp. 2, paragraph 0013, and pp. 6, paragraph 0067). Therefore, it is applicable to the communication terminals that support the necessary controller, license memory and the like, and does not extend to the communication terminals, which do not have such hardware capabilities. Whereas, implementing DRM policies without the need of the Java enabled mobile device to have any special hardware as well as implementing the DRM policies for the Java digital content using wrapper technology on the Java enabled mobile devices is a part of the present invention.

Thus, the method and the system of the present invention implement the DRM policies on the Java enabled mobile devices without the need of any DRM agent being available on the mobile device and without the need of installation of a special software or a special hardware related to implementing DRM policies on the mobile device, which is not disclosed in the published patent application to Kontio et al. and the published patent application to Hori et al.

In addition, currently amended claims 1-4, 7, 8, 11, 15, 16, 18, 20-22, 24, and 25 have been amended to replace the phrase "digital content" with the phrase "Java digital content" in order to more clearly define, and distinctly claim the present invention from the published patent application to Kontio et al. and the published patent application to Hori et al. According to the method and the system of the present invention, all

references to digital content and applications refer to the digital content and applications that are Java based. The support for these recitations is found at pp. 6, lines 20-21, and pp. 10, lines 8-11 of the present application. Further, as stated at pp.16, lines 18-22, pp.17, lines 1-5, pp. 18, lines 20-23, pp. 19, lines 1-7, FIG. 4A, FIG. 4B, FIG. 5, FIG. 6, and FIG. 7 in the present application, a mobile service provider obtains the digital content from a content provider in the form of JAD and JAR files. A JAR file is a file that contains the class, image, and sound files for a Java applet gathered into a single file and compressed for faster downloading to the user's Web browser. The JAR format is based on the zip file format. Therefore, the digital content is encoded in the JAR format to reduce its size and to make reverse engineering of the protected Java digital content as difficult as possible. The license that is wrapped to the digital content is also in Java format. The published patent application to Kontio et al. and the published patent application to Hori et al. do not describe this.

Therefore, in view of amended independent claims 1, 15, 20 and 22 and the addition of new claims 27-34, and in light of the above discussion, the invention as described in the present claims is not obvious in view of the published patent application to Kontio et al. and in view of the published patent application to Hori et al. In light of the amendments to the independent claims, 1, 15, 20 and 22, the dependent claims 2-4, 7, 8, 11, 16, 18, 21, 24, and 25 as amended, should be allowable.

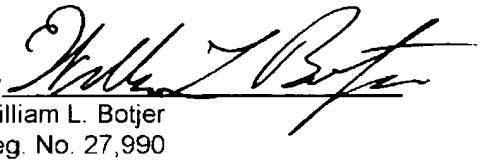
Therefore, in view of the above discussion, it is submitted that the amendments in the claims 1, 15, 20 and 22, and the addition of claims 27-34, are thus sufficient to remove the 35 USC 103(a) rejections.

The present claims have been amended to highlight the distinctions of the

present invention over the prior art and it is respectfully submitted that the claims are now clearly patentable over the art of record, and notice to that effect is earnestly solicited, If the Examiner has any questions regarding this matter, the Examiner is requested to telephone applicants attorney at the numbers listed below prior to issuing a further action.

Dated:July 28, 2005

Respectfully Submitted,

By 

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